



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शुक्रवार, २८ अप्रैल, १९९५/८ वैशाख, १९१७

हिमाचल प्रदेश सरकार

HEALTH AND FAMILY WELFARE DEPARTMENT
[Civil Medical Services (General Wing)]

NOTIFICATION

Shimla, 28th April, 1995

No. Health-A(3)11/87.—The Governor of Himachal Pradesh, in exercise of powers conferred by proviso to Article 309 of the Constitution of India and in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the following rules for

regulating the recruitment and conditions of service of persons appointed to the Himachal Pradesh Civil Medical Service (General Wing) in regard to the following matters; namely :—

- (i) the method of recruitment to the Himachal Pradesh Civil Service (General Wing);
- (ii) the qualifications necessary for appointment to such service and posts; and
- (iii) the conditions of service of persons appointed to such service and posts for the purpose of probation, seniority, promotion and confirmation etc.

RECRUITMENT RULES

Part I-General

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Civil Medical Service (General Wing) Rules, 1995.

(2) These rules shall come into force from the date of publication in the official Gazette.

2. *Definition.*—In these rules, unless there is any thing repugnant in the subject or context:—

- (a) “annexure” means an annexure attached to these rules;
- (b) “appendix” means an appendix attached to the Annexure of these rules;
- (c) “appointed day” means the date on which these rules came into force;
- (d) “appointing authority” means an authority competent to make appointment to service;
- (e) “Basic medical or public health qualifications” means a recognised medical qualification specified in any of the schedules to the Indian Medical Council Act, 1956 (Act No. 102 of 1956) as amended from time to time; and include non-medical qualifications for non-clinical departments;
- (f) “Commission” means the Himachal Pradesh Public Service Commission;
- (g) “department” means the Department of Health and Family Welfare, Himachal Pradesh;
- (h) “direct recruitment” means a recruitment made otherwise than by promotion from amongst the members of service or by transfer of an officer already in service of the Government;
- (i) “Departmental Promotion Committee” means a Committee appointed by the Government for the selection of candidates for appointment to posts for promotion or confirmation in the service;
- (j) “Ex-servicemen” means the ex-servicemen as defined in clause (b) of rule 2 of the Ex-servicemen (Reservation of vacancies in the Himachal Pradesh Technical Services) Rules, 1985;
- (k) “Governor” means Governor of Himachal Pradesh;

- (l) "Government" means the Government of Himachal Pradesh;
- (m) "hard area" means such area in the State of Himachal Pradesh as notified by the Government from time to time.
- (n) "Member" means a member of the Himachal Pradesh Civil Medical Service (General Wing) ;
- (o) "Post-Graduate Qualification" means qualification as specified in Appendix-C' ;
- (p) "Scheduled Caste" means the castes, races or tribes or parts of groups within Castes, Races or Tribes specified in the Schedule to the Constitution (Schedule Castes Order, 1950) as amended by the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976 (Act No. 108 of 1976) and as it may be amended from time to time ;
- (q) "Scheduled Tribes" means the tribes or tribal communities or part of groups within Tribes or Tribal Communities specified in Schedule to the Constitution (Scheduled Tribes Order, 1950) as amended by the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976 (Ac. No. 108 of 1976) and as it may be amended from time to time ;
- (r) "Service" means the Himachal Pradesh Civil Medical Service (General Wing).

PART-II

RECRUITMENT TO SERVICE

3. *Constitution of the H.P. Civil Medical Services (General Wing).*—There shall be constituted a service to the known as H. P. Civil Medical Services (General Wing) consisting of :—

- (a) Person appointed to the service under rule 8
- (b) -do- rule 9

4. *Character of Posts.*—The Character (*i. e.* designation, grade etc.) of the various posts included in the service and their pay scale shall be as indicated in the Annexure-I to these rules, subject to any additions, reductions that may be made by or under the orders of the Himachal Pradesh Government from time to time.

5. *Appointment to the Service.*—Appointments to the service shall be made by the Government.

6. *Conditions for appointment -Nationality.*—A candidate for appointment to any post in the service must be :—

- (a) a citizen of India ; or
- (b) a subject of Nepal ; or
- (c) a subject of Bhutan ; or
- (d) A Tibetan refugee who came over to India before 1st January, 1962 with the intention of permanently settling in India ; or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Srilanka, East African countries of Kenya, Uganda and United Republic of Tanzania, Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India ;

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination/interview conducted by the Himachal Pradesh Public Service Commission but the offer of appointment may be issued only after the necessary eligibility certificate has been issued to him by the Government of India.

(2) Unless he is already in Government service, must produce :

- (i) A certificate of good moral character from the Principal, Academic Officer of his University, College, School or the Head of his educational or Technical Institution last attended ;
- (ii) Certificate of good moral character from 2 responsible persons, not being his relatives who are well acquainted with him in private life and unconnected with his University, College, Technical Institution ;
- (iii) A Medical Certificate as required under the service rules made applicable by the Government from time to time ;
- (iv) No person who has more than one wife living or who having a spouse living, marries in any case where such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to the service ;
- (v) In the case of a Married women a declaration to the effect she has not married a person having already a living wife.
- (vi) No women whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage shall be eligible for appointment to service :

Provided that the Himachal Pradesh Government may, if satisfied that there are special grounds for doing so, exempt any such person in whose case second marriage is permissible in law from the operation of rules of clauses (iv) and (v) supra ;

(3) Age for direct recruitment shall be 45 years :

Provided further that upper age limit is relaxable for Scheduled Casts/Scheduled Tribes/Other categories of persons to the extent permissible under the general or special order of the Himachal Pradesh Government.

Explanation 1.—Age limit for direct recruitment will be reckoned from the first day of the year in which the posts are advertised for inviting applications.

Explanation 2.—In all cases of confirmation/promotion the *ad hoc* service rendered in the post upto 31-3-91, if any, or on subsequent date decided by the Government from time to time prior to the regular appointment against such post shall be taken into account towards length of service.

7. *Educational and Professional Qualification of Candidates.*—Educational and Professional qualifications of candidates for appointment to the various posts in the Service shall be as specified in Annexure-I to these rules.

8. *Absorption in Service.*—The existing HPHS-II, HPHS-I and Specialists Grade (General) Officers will merge in the new cadre of HP Civil Medical Service (General Wing). Those HP IS-I Officers (Specialist Grade-I) who do not opt for joining the new cadre within the stipulated period of three months from the date of Notification of the Rules, shall continue to hold the post(s) to which they were appointed regularly and for this purpose these posts shall be deemed to have been excluded from the service so long as they continue to hold them.

9. *Method of Recruitment.*—The method of recruitment for appointment to the various posts in the Service shall be as specified in Annexure-I to these rules.

10. *Special provisions of Reservation of posts for Scheduled Castes/Tribes, Released Indian Armed Forces Personnel and other Backward classes.*—The appointment to the service will be subject to orders regarding reservation in the service for Scheduled Castes/Scheduled Tribes/Backward Classes/Other backward classes and other categories of persons issued by the Government of Himachal Pradesh from time to time.

11. *Appointment by Promotion.*—Appointment to the service under Rule 7 shall be made by the appointing authority on the recommendations of the Departmental Promotion Committee, constituted by the Government from time to time or on the recommendations of the Himachal Pradesh Public Service Commission, as the case may be.

12. *Temporary filling of Service Posts.*—Notwithstanding anything contained in these rules, if there is a vacancy in service post, the Government may in consultation with the HP Public Service Commission, fill up such vacancies for a period not exceeding five years, by deputation of an Officer employed under the Central Government/State Government or on contract basis provided that such Officer fulfills the essential educational qualifications and holding a similar post in identical pay scale.

PART-III

CONDITIONS OF SERVICE

13. *Probation of Persons appointed to the Service.*—(1) Person appointed to a post in service shall remain on probation for a period of two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstance and reasons to be recorded in writing:

Provided that any period after such appointment, spent on deputation on a corresponding or higher post shall count towards the period of probation.

(2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not found satisfactory, it may, if such person is recruited by direct recruitment, dispensed with his service and in case if such person is a promotee, revert him to the post from which he was promoted.

14. *Seniority of the Members of the Service.*—The interse seniority of HPHS-II, HPHS-I and Specialist grade (General) as absorbed in the merged cadre under Rule 8 shall be determined as follows:—

(i) HPHS-I and Specialists Grade (General) shall appear first in the seniority list in order of their date regular appointment in the cadre or equivalent cadre in scale having duly been selected by UPSC, PPSC and HPPSC or by a regular DPC.

(ii) Thereafter, HPHS-II Officers shall figure in seniority in order of their date of regular appointment the cadre having duly been selected by UPSC, PPSC, & HPPSC.

(iii) The members of the Service, who are recruited direct through the Commission shall be assigned seniority in the order of merit as recommended by the Commission.

(iv) The relative seniority of the member of service, who are promoted on the recommendations of the Departmental Promotion Committee, shall be in the order in which the Departmental Promotion Committee recommended their names for promotion.

15. *Pay Scale*.—Members of the Service shall be entitled to pay scale as given in Annexure-I, to these rules subject to their revision by the Government from time to time.

16. *Private practice*.—Persons appointed to the service shall not be allowed to do private practice of any kind, whatsoever, including consultation and laboratory practice. They shall, however be entitled to non-practising allowance at such rate as may be fixed by the State Government from time to time.

17. *Departmental Examination*.—(1) Every member of the Service shall be required to pass the Departmental Examination as prescribed under the Himachal Pradesh Departmental Examination Rules, 1976, paper-I, Financial Administration as meant for Technical Officers within the probation period or within two years from the commencement of these rules, whichever is later:

Provided that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 50 years on the 1st March, 1994 shall not be required to qualify the departmental examination under these rules.

(2) Notwithstanding anything contained in these rules, the member of the service who fails to pass the Departmental Examination shall not be eligible to hold the post of Chief Medical Officer and above.

18. *Liability to Service in Defence Services*.—Any person appointed to the service shall if so required, be liable to serve in any defence service or post connected with the Defence of India, for a period of not less than four years including the period spent on training if any:—

Provided that such person,—

(i) shall not be required to serve as aforesaid after the expiry of ten years from the date of his appointment;

(ii) shall not ordinarily be required to serve as aforesaid after attaining the age of 45 years.

19. *Liability to Serve*.—(1) A member of the service shall be liable to serve throughout the State of Himachal Pradesh, whenever and wherever he is posted by the appointing authority;

(2) A member of service, who is a graduate doctor (MBBS) on first entry in the service shall require to serve in the PHC/CDs located in the hard areas for three complete years.

(3) A Member of the service, who is a postgraduate on first entry in the service shall require to serve in the hospitals having 30 beds or above located in the hard area for complete three years.

(4) A Member of the service, who is a postgraduate shall also serve for another two years in the Hospitals having 30 beds capacity in other than hard areas.

Forwarding of applications for Higher Education :

(5) No application of a Graduate (MBBS) shall be forwarded to any Institution for Postgraduation/Diploma course, unless he has served for three complete years in hard areas and for two years in PHC/CDs in other than hard area.

(6) Resignation of the member of HPHS-I shall not be accepted unless he has rendered 10 years of complete service including *ad hoc* service.

20. *Foreign Assignment.*—A member of service shall be allowed to go for foreign Assignment/deputation outside the state unless he served for 10 years including *ad hoc* service:

Provided that he shall be allowed to go for foreign assignment after he has executed a bond amounting to Rs. 5.00 lacs that he will join his duties immediately on the expiry of his assignment:

Provided further that no member can claim deputation/foreign assignment as a matter of right.

21. *Leave, Pension and Other conditions of service.*—In respect of leave, pension and other (Cognate) matter not specifically mentioned in these rules, the member of the service shall be governed by the leave and pension rules contained in relevant rules framed/adopted by the Government from time to time. In respect of other conditions of service other than those covered by these rules, members of the service shall be governed by the rules, orders and instructions as may be issued by the Government from time to time.

22. *Addition to qualifying service in special circumstances.*—The benefit of addition to qualifying service in special circumstances shall be available to the each member (Service) subject to provisions as laid down in rule 30 of central Civil Services Pension Rules, 1972.

23. *Removal of difficulties.*—If any difficulty arises in giving effect to the provisions of these rules, the Government may in consultation with the commission issue such direction, not inconsistent with the provisions of these rules, as appear to it to be necessary and expedient, for removal of the difficulties.

24. *Interpretation.*—If any question arises relating to the interpretation of these rules, it shall be referred to the Government (in the department of Health and Family Welfare) whose decision shall be final.

25. *Power to relax.*—Where the State Government is of the opinion that it is necessary or expedient so to do, it may by order for reasons to be recorded in writing and in consultation with Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of person or posts.

26. *Repealing and Saving.*—(i) The H.P. Health Services Rules 1974 as notified vide the Government notification No. GSR/1-71/69 H & FP, dated 19-1-74 are hereby repealed to the extent pertains to the post of General Wing.

(ii) Notwithstanding such repeal any appointment made or anything done or any action taken under relevant rules so repealed under sub rule (1) supra shall be deemed to have been validly made, done or taken under these rules.

By order,

Commissioner-cum-Secretary (Health).

ANNEXURE-

(See Rules)

RECRUITMENT AND PROMOTION RULES FOR HIMACHAL PRADESH (GENERAL

Sl. No.	Name of post	No. of posts	Classification	Pay scale	Whether selection or non-selection	Age for direct Recruitment	Minimum educational and other qualification required for direct recruitment
1	2	3	4	5	6	7	8
1	Medical Officer/ Medical Officer/ incharge.	1561	Class-I (Gazetted).	As shown in Appen- dix 'A'.	N.A.	45 years below.	As given in appendix 'B'.
	Zonal Programme Officer/ B.M.O. Zonal Leprosy Officer/ DHO / District Family Planning Officer / District Leprosy Officer/ District T. B. Officer.	65	-do-	3000— 4500	Non- Selection.	N.A.	N.A.
	Medical Supdt./ C.M.O./Sr. Medi- cal Supdt./Princi- pal (Training).	28	Class-I (Gazetted).	3700— 5300	Selection	N.A.	N.A.
	Deputy Director/ State Programme Officer.	6	Class-I (Gazetted).	3700— 5300	Non- Selection	N.A.	N.A.
	Zonal Joint Directors	3 No.	Class-I (Gazetted).	4125— 5600	Selection	N.A.	N.A.

I

3, 6, 7 and 9)

HEALTH AND FAMILY WELFARE, HIMACHAL PRADESH HEALTH SERVICES WING)

Whether age and education qualification prescribed for direct recruits will apply in the case of promotees	Method of Rectt.	In case of Rectt. by promotion/deputation/transfer, grades from which promotion, deputation, transfer is to be made	If DPC exists what is its composition	Circumstances under which H.P. P.S.C. is to be consulted in making recruitment
9	10	11	12	13
N.A.	100% by direct recruitment.	N.A.	—	—
N.A.	100 % by placement.	100 % by placement from the members of the service who are working in the pay scale of Rs. 3000—4500 who have put in 8 years of defined service in hard areas and the incumbents shall be interchangeable.	As constituted by the Government from time to time.	As required under the law.
N.A.	100% by promotion.	By Promotion from amongst the member of the service who have put in 18 years of defined service and have passed departmental exam. and also worked for 3 years in hard areas on the basis of merit-cum suitability.	As constituted by the Government from time to time.	As required under the law.
N.A.	100% by placement.	By placement from amongst the C.M.O./ Medical Supdt. Sr. Medical Supdt. Principal (Trg.) who have put in 2 years combined defined service as such.	-do-	-do-
N.A.	100% by promotion.	By promotion from amongst the Dy. Director/State Programme Officer who have put in 2 years defined service as such failing which from amongst the	As constituted by the Government from time to time.	As required under the Law.

1	2	3	4	5	6	7	8
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Director of Health
Services.

1 No.

-do-

5900—
6700

-do-

N.A.

N.A.

9	10	11	12	13
		Deputy Director/State Programme Officers/ Sr. Medical Supdt./Medical Supdt./Principal Training School/Asstt. Directors/CMOs having atleast five years combined defined service as Deputy Director/State Programme Officers/Sr. Medical Supdt./Medical Supdt./ Principal, Training School/Asstt. Directors/ CMOs.		
N.A.	100% by promotion.	By promotion from amongst the Joint Director with 2 years service as such on the basis of merit-cum-seniority, failing which from amongst the Joint Director/Deputy Directors/ State Programme Officers/having atleast five years combined defined service as Joint Director/Deputy Director/State Programme Officer/Sr. Medical Supdt./Medical Supdt./ Principal Training School/Asstt. Directors/ CMOs on the basis of merit-cum-seniority.	As consti- tuted by the Govern- ment from time to time.	As requir- ed under the law.

APPENDIX-A to ANNEXURE-I

Sl. No.	Name of the Post	Pay Scale
1	2	3
1.	Medical Officer/Medical Officer Incharge.	(i) On basic entry Rs. 2200-4000 with a start of Rs. 2250/- (to be designated a Medical Officer). (ii) Scale after 8 years of regular service Rs. 3000-4500. (iii) Scale after 18 years of regular service Rs. 3700-5300.
2.	Zonal Programme Officer/B. M. O./Zonal Leprosy Officer/D. H. O./District Family Planning Officer/District Leprosy Officer/Distt. T. B. Officer/Zonal Malaria Officer.	Rs. 3000-4500
3.	C. M. O./Medical Supdt./Sr. Medical superintendent/Principal (Training).	Rs. 3700-5300
4.	Deputy Director/State Programme Officer	Rs. 3700-5300
5.	Joint Director/Zonal Joint Director	Rs. 4125-5600
6.	Director of Health Services	Rs. 5900-6700

Sl. No.	Name of the Post	Essential Educational qualifications
1	2	3
1.	Medical Officer/Medical Officer Incharge	(i) A recognised medical qualification included in the first or second Schedule or Part-II of the Third Schedule (Other than licentiate qualifications) to the Indian Medical Council Act, 1956. Holders of educational qualification included in Part-II of the third schedule should fulfil the conditions stipulated in sub section (3) of section 13 of the Indian Medical Council Act, 1956. (ii) Completion of compulsory rotating internship. <i>Desirable Qualifications :</i> (i) A post-graduate qualification from a recognised institution as mentioned in Appendix-C. (ii) Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

'C' ANNEXURE-III

LIST OF POSTGRADUATE QUALIFICATIONS

Sl. No. 1	Subject 2	Part A 3	Part-B 4
1	Anatomy.	M. D., M.S., M. Sc. D.Sc. or Ph.D. (Anatomy)	—
2	Physiology	M.D., M.S. M.Sc. D. Sc. or Ph. D (Phy) (Physiology).	—
3	Pharmacology	M.D., M.Sc., D. Sc. or Ph. D. (Pharmacology)	—
4	Bio-Chemistry	MD., Ph. D. or D. Sc. (Bio-Chemistry) M.Sc. (Medical Bio-Chemistry).	—
5	Bio-Physics	M. D. Ph. D. (Bio-Physics)	—
6	Pathology	MD., Ph. D. or D. Sc. (Pathology) M.D. (Pathology & Bacteriology) M. Sc. (Medical Pathology) Speciality Board of Pathology (USA).	D.C.P. D.P.D. B(Bact)
7	Microbiology	M.D. M.Sc., Ph. D. D.Sc. (Microbiology) M.D. MSc. Ph. D., D. Sc. (Bact) MD (Microbiology with Pathology). M. D. (Pathology & Bacteriology).	—
8	Social and Preventive Medicine.	M. D. (Social & Preventive Medicine). Speciality Board of Social & Preventive Medicine (USA).	—
9	Forensic Medicine	M.D. (Forensic Medicine)	—
10	General Medicine	MD. (Medicine or General Medicine) M.R.C.P. Speciality Board of Internal Medicine (USA).	—
11	General Surgery.	M.S. (Surgery/General Surgery) F.R.C.S. Speciality Board of Surgery, (USA).	—
12	Obstetrics & Synae- cology.	M.D. or M.S. (Obstetrics and M.S. Midwifery & Gynaecology) Speciality, Board of obstetric and Gynaecology. (USA).	D.G.O.

1	2	3	4
13. Paediatrics	M.D. (Paediatrics) F.R.C.P. F.R.C.P. (Canada) with Paediatrics as special subject, Speciality Board of Paediatrics (USA).		D.C.H. Dip. (Paed).
14. Psychiatry.	M. D. (Psychiatry), M. D. Psychological Medicine Speciality Board of Psychiatry and Neurology (USA). M. D./M.R.C.P. in Medicine with Diploma in Psychological Medicine.		
15. Skin & V.D. (Venereology) Dermatology).	M.D. (Dermatology and Venereology) M. D. (Medicine) with D.V.D.		D.V.D. D.D.V. D.V. & D.D.V.
16. Tuberculosis	M.D. (Tuberculosis) M.D., M. R. C. P. in Medicine with T.D.D., D.T.D. or D.T.C.D.		T.D.D. D.T.D.
17. Orthopaedics	M. S. (Orthopaedics) M. Ch. (Orthopaedics) Speciality Board of Orthopaedics Surgery (USA).		M.D. Orthopaedics O, Ortho, S.
18. Anaesthesiology	M.D. or M.S. (Anaesthesiology). F.F. A.R.Cs. (By examination with Anaesthesiology as a special subject, speciality Board of Anaesthesiology (USA).		D.A. R.P.S. (Eng.) D.A.
19. Radiology	M.D. or M.S. (Radiology) M.R.C.P. with Radiology as a special subject. D.M.R.E. 2 years course. Speciality Board of Radiology (USA).		D.M.R.E. (1 year course D.M.R.&T.) (one year course D.M.R.D.) One year course
20. Radiotherapy	M.D. or M.S. (Radiotherapy) DMRT (2 years course).		—
21. Ophthalmology.	M.S. or M.D. (Ophthalmology) F.R.C.S. (Ophthalmology) speciality Board of Ophthalmology (USA).		D.O. D.G. M.S.
22. Oto-Rhino-Laryngology (ENT)	M.S. (ENT) Oto-Rhino- Laryngology F.R.C.S. (ENT) speciality Board of Oto-Rhino-Laryngology (USA).		D.O.R.L. D.L.O.
23. Cardiology.	M.D., F.R.C.P. or equivalent qualification in General Medicine with two years special training in Cardiology leading to a degree of D.M.		—
24. Gastro-Enterology.	M.D.M.R.C.P. or equivalent qualification in Medicine with two years special training in Gastro-Enterology leading to a degree of D.M.		..

1	2	3	4
25. Thoracic Surgery.	M.S., F.R.C.S. in General Surgery with two years special training in Thoracic Surgery Leading to a degree of M.Ch.		—
26. Urology.	M.S. F.R.C.S. in General Surgery with two years special training in Urology leading to a degree of M.Ch. or equivalent.		
27. Public Health.	M.D. with Public Health D.Sc. (Public Health) D.P.H.	M.P.H., D.P.H., D.T. & D.H.E.	
28. Maternity and Child Welfare.	M.D. (Midwifery and Gynaecology) M.R.C.P.	D.H. & C.W.	
29. Radiation Medicine	—		D.R.H.

